

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
)	No. 1-11-cr-116
v.)	
)	Judge Mattice
PERRY LAMAR KEARSE)	

ORDER

Defendant filed a Motion for a Hearing Pursuant to *Franks v. Delaware* [Court Doc. 11] on January 25, 2012 and a Motion to Suppress [Court Doc. 14] on February 13, 2012, which were referred to United States Magistrate Judge Susan K. Lee pursuant to 28 U.S.C. §636(b)(1)(B) and (C). Magistrate Judge Lee filed her Report and Recommendation [Court Doc 16] on February 21, 2012 and recommended that Defendant's Motion for a Hearing Pursuant to *Franks v. Delaware* and Motion to Suppress be denied. Neither party filed objections within the given 14 days.

After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and **ORDERS** that Defendant's Motion for a Hearing Pursuant to *Franks v. Delaware* [Court Doc. 11] and Motion to Suppress [Court Doc. 14] be **DENIED**.

SO ORDERED this 12th day of March, 2012.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE